

# **APPENDIX H: AMENDMENTS TO THE SUBDIVISION REGULATIONS BY RESOLUTION**

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**RESOLUTION NO. 2006 - \_\_\_\_\_**

## **A RESOLUTION OF THE BOARD OF COUNTY COMMISSION GALLATIN COUNTY TO ADOPT AMENDMENTS TO THE GALLATIN COUNTY SUBDIVISION REGULATIONS**

This resolution was introduced by the Gallatin County Planning Department. Moved by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_. The resolution was adopted \_\_\_\_\_.

WHEREAS, Gallatin County has adopted subdivision regulations in accordance with Title 76, Chapter 3, Montana Code Annotated; and

WHEREAS, the Gallatin County Subdivision Regulations (Subdivision Regulations) were adopted on February 26, 1975, and amended thereafter to include eliminating the requirement for a beneficial water use permit with a preliminary plat application, adopted August 9, 2006, Resolution No. 2006-076; and

WHEREAS, the Gallatin County Planning Department proposes amendments to Sections 1, 2, 3, 4, 5, 6, 7, 9, 13, 14, and Appendix C of the Subdivision Regulations; and

WHEREAS, the numerous amendments to the Subdivision Regulations include the 2005 Legislative mandates, and procedural changes including requiring subdividers provide evidence to Gallatin County that a subdivision has sufficient physical availability of water and that all uses of water in a subdivision are legally authorized prior to final plat, and requiring a subdivider obtain certain permits prior to installation of infrastructure; and

WHEREAS, since September 6, 2006, copies of the draft proposed amendments, as approved by unanimous vote (3:0) by the County Commission on September 5, 2006, have been on file for public inspection at the Office of the Gallatin County Clerk and Recorder, and the Gallatin County Planning Department, both located at 311 W. Main Street, Bozeman, MT, and available electronically at [www.gallatin.mt.gov/planning](http://www.gallatin.mt.gov/planning); and

WHEREAS, pursuant to Section 76-3-503, MCA, notice of the County Commission public hearing for consideration of the resolution to adopt amendments to the Subdivision Regulations was published in the newspaper of general circulation in the County, the *Bozeman Daily Chronicle*, August 20, September 3, 10, and 17, 2006; and

WHEREAS, the County Commission held a public hearing on September 5, 2006 and found the amendments to the Subdivision Regulations consistent with the Montana Subdivision and Platting Act and the Gallatin County Subdivision Regulations and approved the Resolution of Intent to adopt the proposed amendments (Resolution No. 2006-092); and

WHEREAS, on September 19, 2006, the County Commission held a public hearing on the Resolution to Adopt the proposed amendments to the Subdivision Regulations approved by Resolution No. 2006-092.

NOW THEREFORE BE IT RESOLVED:

The Gallatin County Commission approves the resolution to adopt the attached draft amendments proposed by the Planning Department to the Gallatin County Subdivision Regulations, pursuant to Montana Code Annotated, 76-3-503.

Dated this 19<sup>th</sup> day of September 2006.

## **GALLATIN COUNTY COMMISSION**

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John Vincent, Chair

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William A. Murdock, Member

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Joe Skinner, Member

ATTEST:

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Shelley Vance, Clerk and Recorder

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